

General Plan/Zone Change Analysis

January 13, 2010

GPZ-2-2009

Ensign Engineering

4085 South 4000 West

General Plan change from non-retail commercial to neighborhood commercial

Zone Change from RM to C-1

0.72 Acres

Ensign Engineering has submitted a General Plan/zone change application for a 0.72 acre parcel located at 4085 South 4000 West. The property is currently zoned RM (residential, multi-family) with a General Plan designation of non-retail commercial. The RM Zoning on this property was in place at the time the City incorporated in 1980. The proposed zone is C-1 (neighborhood commercial) and the proposed General Plan designation is neighborhood commercial.

Surrounding zones include RM to the north and south, RB (residential business) to the east and C-1 to the west. Surrounding land uses include a single family home and townhomes to the south, a convenience store to the west, a single family home to the north and a doctor's office to the east.

The existing 2,459 square foot building on the property was built in 1951 as a single family dwelling. In 1975, the building was converted to commercial use and has been used for a credit union and a preschool/daycare center. In 2008, the Planning Commission approved a conditional use permit for SG Tax Service to provide commercial bookkeeping services. However, the applicants did not follow through with the application and a business license was never obtained. Due to the poor condition of the property, the conditional use permit included a long list of conditions related to the repair and enhancement of the property. At present, the building is boarded up.

Attached to this report is a letter from Cameron Duncan with Ensign Engineering stating why he believes this application should be approved. If this application is approved, the property owners intent to demolish the existing building and construct a new strip mall. A copy of the concept plan is attached. The property owners have two potential tenants in mind – a tax service and a Tongan grocery store. The proposed use would be reviewed as a conditional use in the C-1 Zone.

The C-1 Zone includes a maximum district size of 7 acres. The intent of this restriction is to prevent what is intended to be a neighborhood commercial area from growing to the point where it no longer serves just the neighborhood. The amount of existing C-1 zoned property at this intersection is 6.45 acres. Including the subject property in the total would

yield 7.17 acres. However, the C-1 Zone also states: “The maximum district size of a Neighborhood Commercial Zone may be increased if the Planning Commission determines that a specific development meets the intent and purpose of the C-1 zone, as outlined in Section 7-6-1001(1).” Section 7-6-1001(1) states:

“(1) Neighborhood Commercial C-1:

- a. The Neighborhood Commercial Zone is established to provide locations for convenience shopping facilities which serve a neighborhood-oriented market. Such shopping facilities would supply necessities which usually require frequent purchasing with a minimum of consumer travel.
- b. Neighborhood Commercial Zones shall be located so that their distribution pattern throughout the City reflects their neighborhood orientation. Such zones shall not be so large or broad in scope of services as to attract substantial trade from outside the neighborhood. These zones shall not be located in close proximity to any other commercial zone.
- c. Neighborhood commercial uses shall be encouraged to develop in compact centers reflecting unified designs that are architecturally compatible in terms of scale with the neighborhood in which they are located. They should be designed as an integral, homogeneous component of the neighborhood, oriented to pedestrian traffic, as well as vehicular traffic. Site selection development and uses for Neighborhood Commercial Zones shall take into account potential impacts on surrounding residential uses and measures shall be taken to minimize these impacts.”

Staff believes the C-1 Zone at this location would be appropriate for the following reasons:

1. The property has had commercial uses in the past.
2. The property is within walking distance of the neighborhood.
3. Two of the other three corners of the intersection already have commercial use.
4. Changing the zoning would help spur reinvestment in the property which is certainly needed.
5. The intent of the General Plan is to keep the nature of 4100 South as a predominantly residential street with the exception of major intersections where commercial uses are appropriate. This location is a major intersection.

Staff Alternatives:

1. Approval of the General Plan/zone change.
2. Continuance, for reasons determined during the public hearing.
3. Denial, there is already enough neighborhood commercial at this intersection.